



CUSTOMER NUMBER 27792

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: James Sturms Attorney Docket No: MICR0505
Serial No: 10/801,013 Group Art Unit: 2165
Filed: March 15, 2004 Examiner: Pardo, Thuy N.
Title: SYSTEM AND METHOD FOR MAINTAINING A USER'S STATE WITHIN
A DATABASE TABLE

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT

TO THE COMMISSIONER FOR PATENTS:

Your petitioner, Microsoft Corporation, a Washington corporation having a principal place of business at One Microsoft Way, Redmond, WA 98052-6399, represents that it is the owner of the entire interest of U.S. Patent No. 6,728,721, and of the above-identified application by an assignment, as evidenced by an assignment from the inventor, the details of which are noted below. U.S. Patent No. 6,728,721 is the parent of the above-identified continuation application. Assignment of the parent U.S. Patent No. 6,728,721 was recorded in the United States Patent and Trademark Office at Reel 011206, Frame 0178, and this same assignment also applies to the above-identified continuation application.

The undersigned has reviewed the documents in the chain of title of the parent U.S. Patent No. 6,728,721 and the above-identified continuation patent application, and to the best of the undersigned's knowledge and belief, title is in the assignee and owner identified above.

The owner, Microsoft Corporation, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior parent U.S. Patent No. 6,728,721. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior parent U.S. Patent No. 6,728,721 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2 In making the above disclaimer, the owner does not disclaim the terminal part of any patent
3 granted on the instant application that would extend to the expiration date of the full statutory term
4 as defined in 35 U.S.C. 154 to 145 and 173 of prior U.S. Patent No. 6,728,721, as presently
5 shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a
6 maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is
7 statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims
8 cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the
9 expiration of its full statutory term as presently shortened by any terminal disclaimer.

10 X 1. For submissions on behalf of an organization (e.g., corporation, partnership, university,
11 government agency, etc.), the undersigned is empowered to act on behalf of the organization.

12 I hereby declare that all statements made herein of my own knowledge are true and that all
13 statements made on information and belief are believed to be true; and further that these statements
14 were made with the knowledge that willful false statements and the like so made are punishable by
15 fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that
16 such willful false statements may jeopardize the validity of the application or any patent issued
thereon.

17 X 2. The undersigned is an attorney of record.


18 The terminal disclaimer fee of \$130.00 under 37 C.F.R. 1.20(d) is included herewith as noted
19 in the Transmittal Letter submitted concurrently herewith. Please charge any additional fees or
20 credit any overpayment to deposit account No. 01-1940. A copy of this sheet is enclosed.

21 Respectfully submitted,

22
23 Microsoft Corporation

24
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26 Date: September 13, 2005

By:


Ronald M. Anderson
Reg. No. 28,829
Attorney for Petitioner